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February 20, 2002

**VIA ELECTRONIC DELIVERY**

Mr. William F. Caton, Acting Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Re: **Notice of Ex Parte Presentations:**  
**Wireless LNP Forbearance -- WT Docket No. 01-184**

Dear Mr. Caton:

On February 19, 2002, the undersigned counsel, on behalf of Missouri RSA No. 7 Limited Partnership d/b/a Mid-Missouri Cellular ("MMC"), Illinois Valley Cellular RSA 2-I Partnership, Illinois Valley Cellular RSA 2-II Partnership, Illinois Valley Cellular RSA 2-III Partnership, and Public Service Cellular, Inc. ("PSC") (collectively "Rural Carriers") met with Peter Tenhula, legal advisor to Chairman Michael Powell, and Jamil Lawrence, an intern in Chairman Powell's office. We discussed the Verizon Wireless Request for Forbearance from Wireless Local Number Portability in the above-referenced docket. The substance of this communication included the reiteration of arguments raised in MMC's and PSC's reply comments and issues detailed in a "Talking Points" paper which was distributed at the meeting. A copy of the presentation material discussed at the meeting is attached hereto.

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Pursuant to section 1.1206(b) of the Commission's Rules (47 C.F.R. §1.1206(b)), this letter is being filed electronically in the above-referenced docket. If there are any questions regarding this matter, please contact the undersigned.

Very truly yours,

/s/ Michael K. Kurtis

Michael K. Kurtis

Enclosure

cc: Peter Tenhula  
Jamil Lawrence

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WT Docket No. 01-184

## Talking Points Regarding Verizon Wireless Request For Forbearance from WLNP

Missouri RSA No. 7 Limited Partnership dba Mid-Missouri Cellular (“MMC”), Illinois Valley Cellular RSA 2-I Partnership, Illinois Valley Cellular RSA 2-II Partnership, Illinois Valley Cellular RSA 2-III Partnership, and Public Service Cellular, Inc. (“PSC”) (collectively the “Rural Carriers”) are small RSA-licensed cellular service providers. Each in service for more than a decade, the Rural Carriers support a ***two year*** forbearance on WLNP ***but only if*** accompanied by a freeze on the MIN/MDN separation. MMC and PSC provide cellular service to RSAs that include counties that are now part of a top 100 MSA.

- § The small, rural carrier is at risk of being forced out of business. Regulatory mandates such as E911 Phase II, CALEA, digital TTY compatibility and WLNP, while worthwhile causes, are not revenue producing and come at a time when competition with large, nation-wide carriers and the resulting downward pressure on roaming revenues, makes it extremely difficult to implement the myriad of multi-million dollars upgrades required to meet these mandates. In addition, small rural carriers that implemented TDMA digital to remain compatible with their major roaming partners, are being forced to migrate to other digital technologies because of the lack of ongoing support for TDMA with the abandonment of that technology by AT&T Wireless, Cingular Wireless and United States Cellular.
- § Implementation of WLNP will be extremely costly. The primary costs associated with WLNP are tied to the requirement to separate the Mobile Identification Number (MIN) and the Mobile Directory Number (MDN).
- § MIN/MDN separation also raises a myriad of issues associated with E911 Phase II where the MDN and not the MIN will need to be delivered to the PSAP. For example, an unregistered mobile (for which E911 calls are still required to be delivered) will not have any MDN.
- § The industry adopted the MIN/MDN separation as an effective means to meet the WLNP requirements. When the FCC adopted thousands block number pooling (TBNP), the MIN/MDN separation could also be used to meet that requirement.
- § ***MIN/MDN separation was never adopted by the industry as an effective means to accomplish TBNP in the absence of a WLNP requirement!***

- § There is nothing in the record to support the position that TBNP requires MIN/MDN separation outside of the portability requirement. Appended to MMC's and PSC's October 22, 2001 Reply Comments in this proceeding is an engineering report confirming that MIN/MDN separation is **not** required for pooling only. The Rural Carriers are not aware of any engineering report in the record that indicates to the contrary. Verizon Wireless in a December 20, 2001 *ex parte* filing, asserts that MIN/MDN separation is required for TBNP (Page 10), but offers no technical support or explanation for that summary conclusion except to refer to a seven digit translation scheme that had inherent disadvantages and was previously rejected. The Rural Carriers have **not** advocated that translation mechanism. As set forth in the MMC/PSC engineering statement (Page 3), the LRN-like routing mechanism **can** be implemented for TBNP without the need for costly MIN/MDN separation.
- § If MIN/MDN separation is imposed, rural carriers will be required to comply with the full MIN/MDN separation regardless of their geographic location in order to meet the nationwide roaming support requirements. ***There is no economic benefit from meeting this requirement*** except the limited benefit flowing from the few roaming mobiles that might enter their market and roam. However, the costs of MIN/MDN separation are no less than the costs for large urban carriers to deploy MIN/MDN separation...the rural carriers merely have a smaller subscriber base to spread those costs over, cost which do ***not need to be incurred to implement TBNP only***. However, the large carriers, who are already able to spread their costs across much larger subscriber bases, will benefit directly from the rural carrier deployments as they will be able to market ported/pooled numbers without those subscribers being denied roaming (which would clearly otherwise chill their ability to sell such numbers). However, the small, rural carriers are **not** the appropriate parties to force to subsidize the large nationwide carriers.
- § The Rural Carriers support a forbearance from the WLNP requirements for a period of two years and then take another look at the issue ***only if*** accompanied by a freeze of the MIN/MDN separation. Otherwise, the rural carriers must still incur all of the costs associated with WLNP without any hope of gaining any benefit from incurring those costs. From a small carrier perspective, the **worst** scenario would be to fully adopt the Verizon position and force small carriers to incur the cost of MIN/MDN separation with no hope of ever being able to implement WLNP.
- § MMC and PSC are also in the position of having had portions of their RSAs incorporated into the current definition of a top 100 MSA. Accordingly, under current rules, MMC and PSC would be required to implement both TBNP and WLNP. However, since the actual porting and pooling requirements are currently limited to carriers with the same rate center, unless there is another carrier within the MSA that also has a rate center in that part of the RSA which has been incorporated into the MSA definition, the costs for pooling and porting will be incurred even though there will never actually be any pooling or porting that can take place. Accordingly, the Rural Carriers propose that the top-100 MSA requirement be clarified to only apply where there is more than one CMRS carrier with a rate center in that portion of the MSA.